IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIFTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE
and
THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO : 16381 of 1998

Between:
Sri Thakur Ram singh (Secretary)
Smt .Laa Jawanthi memorial Legal& Moral Support Centre
for women A.P Medak at Sanga Reddy

..... PETITIONER

AND

1 S.I of Police Siddipet police station
Medak Dist
2 Sudpt of Police Medak Dist
3 Supdt .Women protection cell Siddipet
Medak dist
4 Director-General of Police Govt .of A.P
Hyderabad.
5 The Secretary, Home Department, Secretariat ,Govt of A.P
Hyd.
6 C.Shobhan S/o Narasaiah
Subash nagar siddipet
Medak dist

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction, or writ, more particularly one in the nature of writ of mandamus calling for records and remarks relating to the violent rape of a minor girl of 16 yrs Kum .Kancharala Jyothi by one Shoban , breaking her legs and hands , who was getting

treatment in Govt .Hospital and the petitioner requests the Hon'ble court to issue necessary directions 1. To sanction free medical treatment to the victim ; 2.To sanction 3 lakhs as ex-gratia for rehabilitation ; 3. To order C.B.C.I.D enquiry into the case and punish the accused as per law and to pass such other order or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: Mr.S.V.Bhatt, Amicus Curiae
(Not present)
Counsel for the Respondents 1 to 5: GP FOR HOME
(Not present)

Counsel for Respondent No. 6: Mr. G.Anandam (Not present) (R6 is impleaded as per Court order dt.29.10.199 in W.P.16381/98.

The Court Made the Following :

ORAL ORDER: (per The Honourable Sri Devinder Gupta, The Chief Justice.)

Thakur Ram Singh, Secretary, Smt. Laajawanthi Memorial Legal and Moral Support Centre for Women, A.P., Medak District sent a petition stating that on 22.8.1997 one minor girl viz. Kumari Kancharla Jyothi, was raped by one Shobhan by breaking her hands and legs, and, while she was under treatment in Government Hospital, the accused threatened her widowed mother and relatives of dire consequences, if the complaint was made. Request was made to take up the matter on judicial side for various reasons. Petition was registered as Taken-up Writ Petition, and, Mr. S.V.Bhatt was appointed as Amicus Curiae, to assist the Court.

In the meanwhile, affidavit-in-reply was filed by the Sub-Inspector of Police, I Town Police Station, Siddipet, Medak District stating that with respect to the incident of rape alleged

to have been committed on minor girl, Kancherla Jyothi, a case in

Cr.No. 274/97 for the offence punishable under Section 376 IPC had been registered on 22.8.1997 itself. Case was investigated into and charge-sheet was submitted on 31.1.1998. The Crime had already been taken cognizance by the Magistrate. Accused had also been charged for the offence under Section 325 IPC. After the victim was admitted into Government Hospital, Siddipet, she was shifted to Gandhi Hospital, Secunderabad. She took treatment for about five weeks in the Hospital. As regards the alleged threats, no complaint was received, and, in case, such a complaint is received, the same will be duly attended to.

In view of the fact that that the Police had investigated the matter, and, submitted challan, and, the same was under trial, no further direction deserves to be issued in this Petition, which was registered on the basis of the letter received by this Court. Therefore, the Writ Petition stands disposed of. No costs.

_____

DEVINDER GUPTA, C.J.

25.6.2004.

_____

G.ROHINI, J.

VR.

To

1 S.I of Police Siddipet police station
Medak Dist
2 Supdt of Police,
Medak District.
3 Supdt .Women Protection Cell
Siddipet, Medak dist.
4 Director-General of Police,
Government of A.P
Hyderabad.

5 The Secretary to Government, Home Dpartment, Secretariat Hyderabad.
6. The Special Officer, Public Interest Litigation Cell, High Court Buildings, Hyderabad.
7. The Secretary, A.P. State Legal Aid and Advisory Board, High Court Buildings, Hyderabad.
8. The Section Officer, Legal Aid, High Court Bldgs. Hyderabad.
9. Two CCs to Govt. Pleader for Home, High Court Bldgs., Hyderabad.
10. Two CD copies.